

## Question:

My husband has 3 kids with his ex-wife. About 1.5 months ago, she signed paperwork (and judge approved) saying that basically it will be a 50/50 parenting plan. Now she has just informed us that her live-in boyfriend has bought a house 45 min away (across state lines - Kansas to Missouri) and she is moving in 2 months. We have the kids every Tuesday and Thursday from after school until the next morning in which we take them to school or to her house during the summer, and every other weekend from Friday after school to Sunday evening (at which point she does pick them up from our house). We have lived in our house for over 3 years now. The kids (as per paperwork) go to school where their mother lives. Seeing how we have the kids half of the time, can't we get it to where the kids go to school in the city we live in and make her do all the driving back and forth since she has chosen to move that far away? Can she move across state lines (45 min away) when she just signed papers saying we were doing all the driving back and forth? Obviously we are against this. Isn't there something we can do considering we have the kids pretty much half of the time?

## Answer:

First let me preface this answer by stating that I am not licensed in Kansas. Your husband should have a say in her plans in as much as it will effect his parenting time. With 50/50 time it is important that the parties live in close proximity to each other. The burden should be on the mother who is moving to show that her move will not impede your husband's right to see his kids. Some states have very specific statutes regarding relocation. You should consult an attorney in your state to determine what if any laws Kansas has in this regard. The court cannot prevent her from moving but may be able to prevent the children from going with her.